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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/008,234

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Douglas F. Libra

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11/14/2006

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EXAMINER

VAN DOREN, BETH

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,234

Applicant(s)

LIBRA ET AL.

Examiner

Beth Van Doren

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 18-22 and 33-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 18-22 and 33-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Final Office action in response to communications received 09/05/2006. Claims 1, 6-7, 18-22, and 33-35 have been amended. Claims 8 and 23 have been canceled. Claims 1-7, 18-22, and 33-35 are now pending in this application.

Response to Amendment

2. Applicant's amendments are sufficient to overcome the 35 USC § 101 rejections set forth in the previous office action.

Response to Arguments

3. Applicant's arguments with respect to claims 1-8, 18-23, and 33-35 have been considered but are moot in view of the new grounds of rejection, as necessitated by amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4-7, 18-19, 21-22, 33, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Pyron (*Using Microsoft Project 98: Special Edition*).

As per claim 1, Pyron teaches a method comprising:

collaboratively performing a number of tasks by a plurality of parties, wherein each task requires a series of collaborative actions (See pages 565-6, 586, 926, wherein workgroups of members perform a number of tasks with actions, wherein the actions are cooperative. See pages

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50-1, 126, 171, 173, 175, 177, wherein actions in phases of tasks influence the actions and tasks of others);

recording the series of collaborative actions into a script database (See pages 65, 171, 175-9, 125-7, 599-601, wherein the tasks and subtasks are stored in an order/script in the database);

displaying a status of the series of collaborative actions taken in each of the tasks (See 473, 484-6, 526-8, wherein status is displayed), wherein the status of each task may be simultaneously viewed by one or more of the plurality of parties (See 565-8, 575, 586-7, wherein the status can be viewed by workgroup members), and

wherein displaying the status includes:

indicating two or more tasks including at least one of indicating whether a part has not started, is in work, or has been completed (See pages 484-6 and 526-8, wherein task status is displayed);

indicating a last action completed within each of the tasks that are in work (See at least pages 50-2, 484-6, 491-2, wherein the status of all tasks and subtasks (actions) is tracked and displayed, with the last action completed and other completions displayed);

displaying a total number of actions in each of the tasks (See pages 50-1, 126, 171, 173, 175, 177, wherein tasks and subtasks (actions) are displayed);

displaying a percentage of the number of actions completed for each of the tasks (See pages 50-2, 484-6, 491-2, 526-8, 924, wherein percentage completion is displayed); and

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for each task, displaying a bar graph having a shaded portion corresponding to a percentage of the assigned actions completed for each of the tasks (See pages 484-6, 491-2, 526-8, 924).

As per claim 2, Pyron teaches wherein said step of recording into the script database includes:

ordering each of the actions into a series of sequential steps (See pages 65, 171, 175-9, 125-7, 599-601, wherein the tasks and subtasks are stored in an order/script in the database sequentially); and

assigning an individual, group, machine, or combination thereof of one party to perform each of the actions (See pages 565-6, 586, 926, where people are assigned to the tasks. See also pages 251, 283, 285-7, 307).

As per claim 4, Pyron teaches wherein said step of recording includes inputting the script database into an electronic file (See pages 107-110 and 599-602).

As per claim 5, Pyron teaches wherein the step of displaying the status of the tasks is performed by providing access to the status via the Internet (See pages 440-2, 467, 575, wherein Microsoft Project is useable on the Internet and Web).

As per claim 6, Pyron teaches wherein displaying the status of the tasks includes displaying a chart, including a GANTT chart (See pages 50-3, 473, 484-6, 526-8, which discloses a Gantt Chart).

As per claim 7, Pyron teaches wherein displaying the status of the tasks further includes displaying an indication of the completion of actions assigned to the tasks (See pages 50-2, 484-

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6, 491-2, 526-8, 924, wherein percentage completion is displayed. Within the tasks (phases) there are subtasks (actions). See pages 65, 171, 175-9, 125-7, 599-601).

Claim 18 is substantially similar to claim 1 and is therefore rejected using the same art and rationale set forth above.

Claims 19, 21, and 22 are substantially similar to claims 2, 7, and 6, respectively, and are therefore rejected using the same art and rationale set forth above.

Claim 33 is substantially similar to claim 1 and is therefore rejected using the same art and rationale set forth above. Pyron further teaches providing immediate access to each party to allow viewing of the status of each task, thereby reducing the overall time required for the parties to perform the collaborative tasks (See pages 2-4, 486-8, 565, 586-7).

Claim 34 is substantially similar to claims 2-3 and is therefore rejected using the same art and rationale set forth above.

Claim 35 is substantially similar to claim 6 and is therefore rejected using the same art and rationale set forth above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 20, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pyron (Using Microsoft Project 98: Special Edition).

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As per claim 3, Pyron teaches wherein said step of recording into the script database further includes:

designating the dates that one or more actions will be performed (See pages 62-5, 134-6, 290, wherein dates are designated in the system); and that resources (i.e. workers) are located in various remote locations (See page 565, wherein the resources are at multiple locations).

However, Pyron does not expressly disclose indicating the location where each of the actions is to be performed.

Pyron discloses designating the date and the resources that are assigned to the task, where the resources are located at various remote locations. Examiner takes official notice that it is old and well known in project management systems to specifically indicate the location where the various tasks will be performed in order to maintain comprehensive data about the project. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the location of where the task is being performed, such as the remote location of the human resource of Pyron, in order to more efficiently maintain comprehensive data concerning the project, thus allowing the project to be more efficiently organized. See pages 3-4.

Claim 20 is substantially similar to claim 3 and is therefore rejected using the same art and rationale set forth above.

Claim 34 is substantially similar to claims 2-3 and is therefore rejected using the same art and rationale set forth above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miller et al. (6,101,481) discloses project management, Gantt charts, and graphical views of tasks, allowing people to work separately on tasks and the coordinate the details of the tasks and see the status of the tasks they are involved in.

Diamant et al. (U.S. 5,530,861) teaches a task manager with a hierarchy of tasks.

Charisius et al. (U.S. 2002/0077842) teaches a timeline associated with activities, task dependencies and links, and synchronizing workflows with the project plans.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bvd
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November 8, 2006

Beth Van Doren
Patent Examiner
AU 3623